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Attorney for Plaintiff
EDWARD MILLER

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

EDWARD MILLER,

Plaintiff,

v.

APPTIO, INC. and CLOUDABILITY, INC.,
et al.,

Defendants.

Case No. 4:19-cv-07762-HSG

JOINT STATUS UPDATE RE: DISMISSAL
OF ACTION

Courtroom: 2
Judge: Hon. Haywood S. Gilliam, Jr.

Action Filed: November 25, 2019

1 Plaintiff EDWARD MILLER and Defendants APPTIO, INC. and CLOUDABILITY, INC.
2 hereby respond to this Court's Order dated April 21, 2020 (Dkt. No. 40), directing the Parties to
3 provide the Court with a status update explaining when the Parties anticipate filing the stipulation
4 for dismissal, as contemplated by the Parties' Joint Notice of Settlement (Dkt. No. 39).

5 A formal written settlement agreement has been prepared and is being reviewed by
6 Plaintiff's counsel. The Parties anticipate that same will be executed within 15 days of the filing
7 of this status update. The Parties expect the conditions of settlement to be completed within 30
8 days of the Parties executing the settlement agreement. As such, the Parties anticipate filing the
9 stipulation for dismissal within 60 days of the filing of this status update.

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1 Dated: April 24, 2020

Respectfully Submitted,

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3 By: /s/ Daniel Remer

Daniel Remer

4 Attorney for Plaintiff

5 Edward Miller

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7 By: /s/ Howard Smukler

Howard Smukler

8 Attorney for Plaintiff

9 Edward Miller

10 HOGE, FENTON, JONES & APPEL, INC.

11
12 By: /s/ Alison P. Buchanan

Alison P. Buchanan

13 Christen E. Bourne

14 Attorneys for Defendant

15 Cloudability, Inc.

16 DAVIS WRIGHT TREMAINE LLP

17 By: /s/ Martin L. Fineman

18 Martin L. Fineman

19 Attorneys for Defendants

20 Apptio, Inc. and Cloudability, Inc.

21 **ATTESTATION**

22 Pursuant to Civil Local Rule 5-1(i)(3), I attest that I obtained concurrence in the filing of
23 this document from the other signatories.

24 Dated: April 24, 2020

HOGE, FENTON, JONES & APPEL, INC.

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26 By: /s/ Alison P. Buchanan

Alison P. Buchanan

27 Christen E. Bourne

28 Attorneys for Defendant

Cloudability, Inc.